

09-23-05

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### EXPRESS MAIL CERTIFICATE

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Type of Documents : Information Disclosure Statement (2 pages, in duplicate);  
Form PTO/SB/08A (Substitute PTO-1449)  
(8 pages) with references:  
24 Foreign Documents;  
130 Other Documents;

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Serial No. : 10/711,969

Filing Date: : October 15, 2004

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

  
Diane H. Marshall (signature)  
Diane H. Marshall



## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Breining, *et al.* : Examiner: Unassigned  
 Serial No.: 10/711,969 : Art Unit: Unassigned  
 Filed: October 15, 2004 : Docket No.: T103 1580.1  
 For: Pharmaceutical Compositions and Methods :  
 For Relieving Pain and Treating Central :  
 Nervous System Disorders :

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicants hereby voluntarily disclose one hundred fifty-four (154) references listed on the attached Form PTO/SB/O8 to the Commissioner for Patents. Copies of the foreign patents and literature references listed on Applicants' Form PTO-SB-08 are enclosed herewith. A copy of the International Search Report citing the references is also enclosed.

This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits of the application. Accordingly, it is believed that no fees are due. However, should any fees be due, the Patent Office is hereby authorized to charge Deposit Account No. 09-0528. A duplicate sheet is enclosed for this purpose.

Document F7 (WO 96/30372 A1) is published international application in the Japanese language, having no apparent English language equivalent. However, an English language abstract published with the international application appears to suggest that the document discusses diazabicyclo[3.3.1]nonane derivatives represented by formula disclosed therein, asserted to have a nicotinic cholinergic effect and a dopamine-releasing effect and to be usable as a remedy for dementia such as Alzheimer's disease, a drug for relieving memory disorders, a

remedy for central nerve degeneration diseases, and a drug for relieving cerebral function disorders.

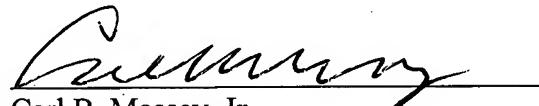
Applicants further reserve the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that a search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of all available information, and to form independent opinions as to its significance.

It is respectfully requested that the Examiner initial and return copies of the enclosed PTO-SB-08 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Respectfully submitted,

Date: Sept 20, 2005

  
Carl B. Massey  
Attorney for Applicants  
Registration No. 44,224

Docket: T103 1580.1

Womble Carlyle Sandridge & Rice, PLLC  
Post Office Box 7037  
Atlanta, Georgia 30357-00378  
Telephone (336) 721-3681  
Facsimile(336) 726-8074

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Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	10/711,969
				Filing Date	October 15, 2004
				First Named Inventor	Breining, et al.
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	8	Attorney Docket Number	T103 1580.1

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	P1	4,922,901	05-08-1990	Brooks	
	P2	4,965,074	10-23-1990	Leeson	
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	F1	EP 0 239 309 A2	09-30-1987	MERCK SHARP & DOHME LTD.		
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	F8	WO 96/31475	10-10-1996	SIBIA NEUROSCIENCES, INC.		
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
*(Use as many sheets as necessary)*

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Attorney Docket Number T103 1580.1

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F24	WO 2004/016604 A2	02-26-2004	ABBOTT LABORATORIES		

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or county where published.	T <sup>2</sup>
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<b>Art Unit</b>	Unassigned
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	T103 1580.1

D11	Bencherif M. and R.J. Lukas, "Differential Regulation of Nicotinic Acetylcholine Receptor Expression by Human TE671/RD Cells Following Second Messenger Modulation and Sodium Butyrate Treatments," <i>Mol Cell Neurosci.</i> , 2(1): 52-65 (1991).
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D20	Chiari, A., et al., "Sex Differences in Cholinergic Analgesia I: A Supplemental Nicotinic Mechanism in Normal Females," <i>Anesthesiology</i> , 91(5): 1447-1454 (1999).
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D30	Faraone, S.V., et al., "An Exploratory Study of ADHD among Second-Degree Relatives of ADHD Children," <i>Biol. Psychiatry</i> , 35(6): 398-402 (1994).
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Attorney Docket Number	T103 1580.1

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D70	Lowry, O.H., et al., "Protein Measurement with the Folin Phenol Reagent," <i>J. Biol. Chem.</i> , 193: 265-275 (1951).
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